

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

| | | |
|----------------------|---|------------------------|
| ROBERT A. GIRARD, |) | No. C 10-3094 LHK (PR) |
| |) | |
| Petitioner, |) | ORDER OF DISMISSAL |
| |) | |
| vs. |) | |
| |) | |
| MIKE MARTEL, Warden, |) | |
| |) | |
| Respondent. |) | |
| _____ |) | |

On July 14, 2010, Petitioner, a state prisoner proceeding *pro se*, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. On October 7, 2010, the Court ordered Petitioner to show cause within thirty days why the case should not be dismissed for failure to exhaust state remedies. The Court warned Petitioner that a failure to respond in a timely manner would result in dismissal of this action without prejudice. To date, Petitioner has not communicated with the Court. Accordingly, this case is DISMISSED without prejudice for failure to exhaust. The Clerk shall terminate all motions, enter judgment, and close the file.

IT IS SO ORDERED.

DATED: __11/24/2010__


LUCY H. KOH
United States District Judge